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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA, Plaintiff, vs. EPIFANIO ANTHONY WELCH, and VALERIE JEANNE HUMPHREY, Defendants.	<p>Case No. 2:21mj457 CMR</p> <p>COMPLAINT</p> <p>COUNT 1: 18 U.S.C. § 111(a)(1) and (b), Assault on a Federal Officer and 18 U.S.C. § 2, Aiding and Abetting</p> <p>COUNT 2: 18 U.S.C. § 924(c)(1)(A), Use and Discharge of a Firearm During and in Relation to a Crime of Violence and 18 U.S.C. § 2, Aiding and Abetting</p> <p>COUNT 3: 18 U.S.C. § 922(g)(1), Felon in Possession of a Firearm and Ammunition</p> <p>Judge Cecilia M. Romero</p>
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Before the Honorable Cecilia M. Romero, United States Magistrate Court Judge
for the District of Utah, appeared the undersigned, who on oath deposes and says:

COUNT 1
18 U.S.C. § 111(a)(1) and (b)
(Assault on a Federal Officer)

On or about May 20, 2021, in the District of Utah,

EPIFANIO ANTHONY WELCH,
and VALERIE JEANNE HUMPHREY,

the defendants herein, did forcibly assault, resist, oppose, impede, intimidate, and interfere with a person designated in 18 U.S.C. § 1114, specifically a Deputy United States Marshal, while the officer was engaged in and on account of the performance of his official duties, and in the commission of such offense, did use a deadly and dangerous weapon; all in violation of 18 U.S.C. § 111(a)(1) and (b), and did aid and abet therein, in violation of 18 U.S.C. § 2.

COUNT 2

18 U.S.C. § 924(c)(1)(A)

(Use and Discharge of a Firearm During and in Relation to a Crime of Violence)

On or about May 20, 2021, in the District of Utah,

EPIFANIO ANTHONY WELCH,
and VALERIE JEANNE HUMPHREY,

the defendants herein, during and in relation to a crime of violence for which the defendant may be prosecuted in a Court of the United States, that is, Assault on a Federal Officer, as charged in Count 1, which is incorporated herein by reference, did knowingly use, carry, brandish, and discharge a firearm; all in violation of 18 U.S.C. § 924(c)(1)(A)(iii), and did aid and abet therein, in violation of 18 U.S.C. § 2.

COUNT 3

18 U.S.C. § 922(g)(1)

(Felon in Possession of a Firearm and Ammunition)

On or about May 20, 2021 in the District of Utah,

EPIFANIO ANTHONY WELCH,

defendant herein, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm and ammunition, to wit: a 9mm handgun and associated ammunition, and the firearm and ammunition were in and affecting commerce, in violation of 18 U.S.C. § 922(g)(1).

This complaint is made on the basis of an investigation consisting of the following:

1. This affidavit is submitted in support of a criminal complaint alleging probable cause exists to issue arrest warrants charging EPIFANIO ANTHONY WELCH and VALERIE JEANNE HUMPHREY with committing the specified offenses on or about May 20, 2021.
2. On May 20, 2021, agents and task force officers assigned to the United States Marshal's Violent Fugitive Apprehension Strike Team ("VFAST") had information that VALERIE JEANNE HUMPHREY, a subject for whom there was an outstanding federal arrest warrant, was currently located at a specified address on West Wright Circle in Salt Lake City, Utah. Agents also had information from several sources that Ms. Humphrey and her friend EPIFANIO ANTHONY WELCH were armed, and would engage in "suicide by cop" rather than surrendering peacefully. WELCH also had several warrants for his arrest.

3. In the evening hours, VFAST officers approached the residence, announced their presence, and ordered the occupants out of the house. Five people exited the residence, and informed officers that HUMPHREY and WELCH were the only two people still in the basement. They also informed officers that HUMPHREY and WELCH were armed and intended to resist arrest.

4. Officers clearly identified themselves as federal agents and their business of executing the arrest warrants, and gave instructions to exit the residence and surrender, but received no response. Officers then used beanbags to breach the window in an attempt to coax the occupants out. Rather than exiting, a gun or guns were fired at officers from the residence.

5. Officers quickly retreated behind a police vehicle, as multiple rounds continued to be fired at them, with several lodging in the police vehicle.

6. While negotiating by telephone with WELCH in an attempt to get them to peacefully surrender, an agent overheard WELCH tell someone (on another phone) that he is in big trouble because he just shot at a bunch of cops and he will be going away for a long time (paraphrased).

7. Ultimately both WELCH and HUMPHREY were taken into custody. A search of the basement area where the shots were fired from revealed four firearms, which were seized. As WELCH and HUMPHREY were the only two people in the home where the

shots were fired from, they were clearly the two people who fired the shots at federal agents.

8. A records check indicates that WELCH has previously been convicted of five (5) felony offenses and is thus prohibited from possessing a firearm. The firearm affected interstate commerce due to the fact that it was not manufactured in Utah.

9. Based on the foregoing information, your affiant believes WELCH and HUMPHREY knowingly and intentionally assaulted multiple officers by discharging a firearm at them while officers were performing their official duties.


JOHN HIETT
Deputy United States Marshal

SUBSCRIBED AND SWORN to before me this 21st day of May, 2021.


HON. CECILIA M. ROMERO
United States Magistrate Court Judge

APPROVED:

ANDREA T. MARTINEZ
Acting United States Attorney


VERNON G. STEJSKAL
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